

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC

In the matter of:)
)
Study on the Economic Impact of Low Power)
FM Stations on Full-Service Commercial FM) MB Docket 11-83
Stations.)
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COMMENTS OF REC NETWORKS

REC Networks (“REC”), an unincorporated entity through its founder Michelle (Michi) Eyre is a long time proponent for the Low Power FM (LPFM) radio service from the original petitions for the service through today and into the future. Over the years, REC has also been involved in other issues involving a citizen’s access to the electromagnetic spectrum. REC has also always had a concern about broadband availability in rural and other underserved areas.

In the past 10 years, REC has been watching the progress of the LPFM service. With the uncertainty of the economy, speculation in the service, impatience due to waiting for applications to be granted, especially in the case of mutually exclusive applications as well as encroachment by changes made by full service FM stations, some LPFM stations have failed. However, LPFM is not a failure. We feel that LPFM has great potential to bring new voices to the 100-channel FM broadcast spectrum but that voice has been suppressed in many urban and suburban areas of our country. The Local Community Radio Act along with proposals by REC and other organizations to make changes to the service will make the service more viable in more areas of the country.

An LPFM station's impact on commercial broadcasters would be based on the compelling programming that the LPFM station is providing as well as the programming that is being provided by the commercial broadcasters. If an LPFM station has a compelling format that no other station is doing, it may take a very small market share away from those ears listening to a commercial station but we must also take into consideration that there's also a possibility that the LPFM's programming may be taking listeners away from an internet radio station on their smartphone or listening to MP3s on their iPod.

LPFM stations are, in some cases and new ones will likely be programming to communities who are either not served by a current commercial FM station or who's community has been displaced due to the sale of a college, community or public radio station such as what recently took place in Houston and San Francisco.

When the MITRE Study was performed, it specified that due to the minimal impact of interference, the economic study was not necessary suggesting that the expansion of LPFM services would have minimal impact on full service stations:

The FCC should *not* undertake the additional expense of a formal listener test program or a Phase II economic analysis of the potential radio interference impact of LPFM on incumbent FPFM stations. Other economic impacts are outside the scope of this effort. Perceptible interference caused during the tests by temporary LPFM stations operating on third-adjacent channels occurred too seldom, especially outside the immediate vicinity of the sites where the stations were operating, to warrant the additional expense that those follow-on activities would entail.

Currently, there are over 800 LPFM stations on the air. In no place have we seen a shift in ratings. Even in major markets with LPFMs such as Phoenix, we are not seeing KWSS-LP, an alternative music station with a significant base of local programming even pulling a 0.1 share in the ratings.

REC feels that the need for this report is a waste of Commission resources, especially in light of other LPFM-related issues such as cleaning up the Auction 83 FM Translator applications as well as initiate rulemaking to implement the LCRA as well as make other needed changes to the LPFM service for the next filing window. But regardless of that, we must respect the will of Congress and address the Commission's inquiry in this proceeding.

The Commission making predictive judgments may not represent the overall impact on full service stations. Several factors would invalidate such predictive data including the choice of entertainment formats the LPFM stations choose to present, the entertainment formats of the full service stations, the number potential LPFM stations based on the outcome of Auction 83 FM Translator applications as well as potential changes to technical parameters of new LPFM stations. Based on this, we do not feel the Commission is in the position to draw conclusions on the impact of LPFM stations on full service stations.

The currently available data on LPFM is pretty much all the Commission will have to work with. With the data of only 800 licensed stations, it is only a drop in the bucket in the overall share of FM facilities including full-power commercial, NCE, translators as well as foreign FM stations. Even with that, the LPFM stations that are actually located in significant markets where they would even have the potential of putting a small dent in a full service station's bottom line are very few and far between. We say this because we feel that LPFM stations are fulfilling needs that are not being satisfied by commercial full service stations and in some cases, those who listen to LPFM stations are less likely to listen to a commercial full service station if the LPFM did not exist.

If we use data from existing LPFM operations on the impact of full-service stations, we must also factor in the impact of full-service stations on LPFM, especially the expenses that are borne by these non-profit, non-commercial LPFM stations to make transmission system changes when full power FM stations and in some cases FM translators encroach on the service contour of the LPFM station. We think that you will find that the amount of losses by LPFM stations fighting off encroachment far exceeds any losses by full-service stations as a result of the existence of the LPFM station.

We feel that the conclusions made in the MITRE study years ago are still good to this day. Even with interference as a factor, the impact on full power stations would be so minimal, it is simply not worth wasting FCC resources on an extensive study.

If the operation of an LPFM station causes a substantial impact to the operation of a full service commercial or non-commercial broadcast station, perhaps that is a sign that the “full service” station is not truly providing a “full service”.

Respectfully submitted,



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